

PTO/SB/21 (09-04)

1644

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

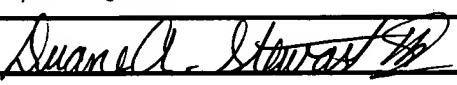
(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

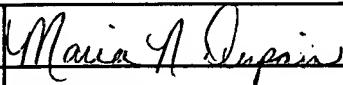
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Certificate of Mailing Postcard
Remarks Please mark postcard as received and return to our attention.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Buchanan Ingersoll PC		
Signature			
Printed name	Duane A. Stewart III		
Date	January 4, 2006	Reg. No.	54,468

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Maria N. Dupain	Date	January 4, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Confirmation No. 1048

Schößler, et al.

Art Unit: 1644

Appl. No. 09/844,290

Examiner: Kim, Yunsoo

Filed: April 27, 2001

Atty. Docket: 050002

For: Anti-Petasin Antibodies, Methods for the Production Thereof and Their Use

REPLY TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

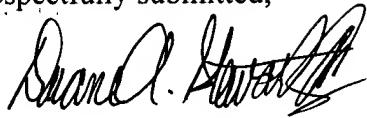
Initially, the Examiner's attention is drawn to the new docket number for this application which is 050002, not 0107-031. Correction is respectfully requested.

In reply to the Office Action mailed December 9, 2005 requesting restriction to a single invention in the above-referenced patent application, Applicants hereby elect Group I, including claims 23 and 45.

This election is made without prejudice to or disclaimer of the other species disclosed. Applicants reserve the right to file divisional patent applications claiming priority to this application and to the provisional applications from which this application claims priority for the non-elected species at a later date. Applicants also reserve the right to rejoinder. This election is made without traverse.

It is believed that no Extension of Time is necessary to make this election timely. If an Extension of Time is necessary to prevent abandonment of this application, extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required for those extensions are authorized to be charged to Deposit Account No. 02-4553 in the name of Buchanan Ingersoll PC.

Respectfully submitted,



Duane A. Stewart III
Attorney for Applicants
Registration No. 54,468
Buchanan Ingersoll PC
One Oxford Centre
301 Grant Street, 20th Floor
Pittsburgh, PA 15219
P: (412) 562-1622
F: (412) 562-1041

Date: January 4, 2006

